



Ralph E. Jocke
Patent
&
Trademark Law

Walker & Jocke a legal professional association

November 10, 2005

Mail Stop ISSUE FEE
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Re: Application No.: 10/797,412
Confirmation No.: 4121
Applicants: Scarafale, et al.
Filed: March 9, 2004
Title: Cash Dispensing Automated Banking
Machine With Improved Card Retention
Capabilities And Method
Art Unit: 2876
Notice of Allowance Date: October 24, 2005
Docket No.: D-1219 R2

Sir:

Please find enclosed the Issue Fee Transmittal form for filing in the above-referenced Application. Also enclosed are Comments on the Statement of Reasons for Allowance.

Very truly yours,


Ralph E. Jocke
Reg. No. 31,029

CERTIFICATE OF MAILING BY EXPRESS MAIL

I hereby certify that this document and the documents indicated as enclosed herewith are being deposited with the U.S. Postal Service as Express Mail Post Office to addressee in an envelope addressed to Mail Stop ISSUE FEE, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 this 10 day of November 2005.

EV 484923453 US
Express Mail Label No.


Ralph E. Jocke

330 • 721 • 0000
MEDINA

330 • 225 • 1669
CLEVELAND

330 • 722 • 6446
FACSIMILE

rej@walkerandjocke.com
E-MAIL

231 South Broadway, Medina, Ohio, U.S.A. 44256-2601



D-1219 R2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)
Scarafale, et al.)
)
Application No.: **10/797,412**) Art Unit 2876
)
Confirmation No.: **4121**)
)
Filed: **March 9, 2004**) Patent Examiner
) Daniel Hess
Title: **Cash Dispensing Automated**)
Banking Machine With Improved)
Card Retention Capabilities)
And Method)

Mail Stop ISSUE FEE
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice of Allowability dated October 24, 2005 kindly enter Applicants' comments without prejudice as follows:

Comments on the Statement of Reasons for Allowance

Applicants acknowledge the Office's admission that the pending claims are patentable over the references of record. Applicants respectfully submit that while the specific features and relationships mentioned in the statement of reasons for allowance are not disclosed or suggested in the prior art, these are not the only recited features and relationships which are not found in the prior art. Furthermore, the statement sometimes indicates a general paraphrasing of claim language, and not necessarily the exact claim language. The statement also refers to subject matter (or language) which is not recited in all of the claims. For example, not all claims require throwing, via a flexible member, a card into a receptacle of an ATM machine. It should be understood that the allowed subject matter is to only be limited by that subject matter which is specifically recited. Any remarks in the statement which narrow the recited subject matter should be disregarded.

Respectfully submitted,



Ralph E. Jockey Reg. No. 31,029
WALKER & JOCKE
231 South Broadway
Medina, Ohio 44256
(330) 721-0000